

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**Kevin Dion Higgins and Sandra Lynn Higgins**

a/k/a Kevin Dion Higgins, Kevin D Hibbins,  
Higgins Lynn Sandra, Sandra L McIntyre Higgins,  
Sandra McIntyre, Sandra Higgins

S.S. Nos.: xxx-xx-1015 and xxx-xx-5442

Mailing Address: 1329 Hobson Road, Raeford, NC 28376-

**Case No. 11-80084**

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on January 17, 2011.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: January 27, 2011

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)				Date: 1/3/11			
				Lastname-SS#: Higgins-1015			
<b>RETAIN COLLATERAL &amp; PAY DIRECT OUTSIDE PLAN</b>							
Retain	Creditor Name	Sch D #	Description of Collateral				
	Hoke County Taxes	2	House & Lot				
<b>SURRENDER COLLATERAL</b>							
Creditor Name		Description of Collateral					
None							
<b>ARREARAGE CLAIMS</b>							
Retain	Creditor Name	Sch D #	Arrearage Amount	(See *)			
	Hoke County Taxes			**			
				**			
				**			
				**			
	PNC Mortgage	3	\$3,285	**			
	USAA Federal Savings	5	\$829	**			
			**				
			**				
<b>REJECTED ENFORCEMENT CONTRACTS/LEASES</b>							
Creditor Name		Description of Collateral					
None							
<b>LTD - DOT ON PRINCIPAL RESIDENCE &amp; OTHER LONG TERM DEBTS</b>							
Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	PNC Mortgage	3	\$772	N/A	n/a	\$772.00	House & Lot
	USAA Federal Savings	5	\$157	N/A	n/a	\$157.00	House & Lot
				N/A	n/a		
				N/A	n/a		
<b>STD - SECURED DEBTS @ FMV</b>							
Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	None			5.00			
				5.00			
				5.00			
				5.00			
<b>STD - SECURED DEBTS @ 100%</b>							
Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Regional Acceptance	4	\$15,782	5.00	\$108	\$315.68	2005 GMC Sierra 1500
	Wells Fargo Dealer Services	6	\$16,173	5.00	\$97	\$323.50	2008 Toyota Camry
	American General	1	\$9,305	5.00	\$93	\$186.12	09 Suzuki/01 Honda Civic
				5.00			
				5.00			
<b>ATTORNEY FEE (Unpaid part)</b>							
Law Offices of John T. Orcutt, P.C.			Amount: \$2,800				
<b>SECURED TAXES</b>							
IRS Tax Liens			Secured Amt:				
Real Property Taxes on Retained Realty							
<b>UNSECURED PRIORITY DEBTS</b>							
IRS Taxes			Amount:				
State Taxes							
Personal Property Taxes							
Alimony or Child Support Arrearage							
CO-SIGN PROTECT (Pay 100%)			Int. %	Pay off Amt			
All Co-Sign Protect Debts (See*)							
<b>GENERAL NON-PRIORITY UNSECURED</b>							
DMI= \$376			Amount: \$22,560				
<b>Other Miscellaneous Provisions</b>							
Plan to allow for 3 "waivers". Interest on EAE at fed. judgment rate							
<b>PROPOSED CHAPTER 13 PLAN PAYMENT</b>							
\$ 2,587		per month for		60		months, then	
\$ N/A		per month for		N/A		months.	
Adequate Protection Payment Period:				1.25 months.			
Sch D # = The number of the secured debt as listed on Schedule D							
Adequate Protection = Monthly 'Adequate Protection' payment amt.							
† = May include up to 2 post-petition payments.							
* Co-sign protect on all debts so designated on the filed schedules.							
** = Greater of DMI x ACP or EAE				(Page 4 of 4)			
Ch13Plan_MD (DeSardi Version 1/12/10) © LOJTO							

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum  
\_\_\_\_\_  
Kaelyn McCollum

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Hoke County Tax Collector  
Post Office Box 217  
Raeford, NC 28376-0217

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

American General  
Attn: General/Managing Agent  
601 North Elm Street  
Lumberton, NC 28358-5560

Internal Revenue Service  
Post Office Box 7346  
Philadelphia, PA 19101-7346

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Asset Acceptance, LLC  
2840 South Falkenburg Road  
Riverview, FL 33569

Military Star  
Disputes Unit  
Post Office Box 650410  
Dallas, TX 75265-0410

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Asset Acceptance, LLC  
Post Office Box 2036  
Warren, MI 48090-2036

North Carolina Department of Re  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Badcock & More Home Furniture  
Post Office Box 1034  
Mulberry, FL 33860

North Carolina Dept of Revenue  
Post Office Box 1168  
Raleigh, NC 27602-1168

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Capital One  
Post Office Box 30285  
Salt Lake City, UT 84130-0285

Pioneer Military Lending  
4000 South Eastern Suite 300  
Las Vegas, NV 89119

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Castle Credit Corporation  
8420 West Bryn Mawr Avenue  
Suite 300  
Chicago, IL 60631

PNC Mortgage  
Attn: General/Managing Agent  
Post Office Box 1820  
Dayton, OH 45401-1820

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Chase/AFSA  
2277 #. 220th St.  
Long Beach, CA 90810

Regional Acceptance  
Attn: General/Managing Agent  
Post Office Box 830913  
Birmingham, AL 35283

Internal Revenue Service (ED)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

Citibank Government Card Services  
Post Office Box 6408  
Sioux Falls, SD 57117-6408

Sam's Club/GEMB  
Attn: Bankruptcy Dept..  
PO Box 103104  
Roswell, GA 30076-3104

Service Federal Credit Union  
90 South Main Street  
Rochester, NH 03867

US Department of Education  
Post Office Box 5202  
Greenville, TX 75403-5202

Sheppard Pratt Health Systems  
6501 North Charles Street  
Baltimore, MD 21285

US Department of Education  
Post Office Box 13328  
Richmond, VA 23225-0328

Suntech College  
384 Galleria Parkway  
Madison, MS 39110

US Department of Education  
Direct Loan Servicing Center  
Post Office Box 5609  
Greenville, TX 75403-5609

Target National Bank  
c/o Target Credit Services  
Post Office Box 1581  
Minneapolis, MN 55440-1581

USAA Federal Savings Bank  
Attn:General/Managing Agent  
10750 McDermott Freeway  
San Antonio, TX 78288-0544

The Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

Wal-Mart  
c/o GE Money Bank - BK Department  
Post Office Box 103104  
Roswell, GA 30076

Time Warner Cable  
4200 Paramount Parkway  
Morrisville, NC 27560

Wells Fargo Dealer Services  
Attn:General/Managing Agent  
Post Office Box 168048  
Irving, TX 75016-8048

United Acceptance Corporation  
460 Connecticut Boulevard  
East Hartford, CT 06108

WFNNB  
Attn: Bankruptcy Department  
Post Office Box 182125  
Columbus, OH 43218-2125

US Attorney's Office  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858